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Agency Name Public Service Commission	1. Chapter Number 103	2. Date of Filing April 30, 2009
3. Regulation Number 26 S.C. Code Ann. Regs. 103-133(8)	4. Subject of Regulation Stretcher Vans	

5. Statutory Authority

S.C. Code Ann. Section 58-3-140 (Supp. 2008)

COPY

6. Type of Filing

____ NOTICE OF GENERAL PUBLIC INTEREST

____ NOTICE OF DRAFTING

____ PROPOSED REGULATION

____ EMERGENCY REGULATION

____ FINAL REGULATION FOR GENERAL ASSEMBLY REVIEW

☒ RESUBMISSION OF WITHDRAWN REGULATION FOR GENERAL ASSEMBLY REVIEW

____ FINAL REGULATION EXEMPT FROM GENERAL ASSEMBLY REVIEW

Posted: too
Dept: S.A. /ORS
Date: 4/30/09
Time: 12:30

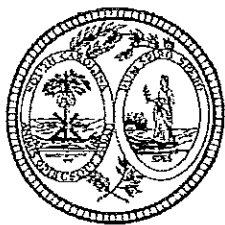
5. For Additional Information, Contact	6. Telephone Number 896-5100
7. Typed Name of Official Jocelyn G. Boyd	8. Signature of Official <i>Jocelyn G. Boyd</i>
	9. Date April 30, 2009

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APR 30 2009

PSC SC
DOCKETING DEPT.



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Chief Clerk/Administrator
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Fax: (803) 896-5246

The Public Service Commission State of South Carolina

COMMISSIONERS
Elizabeth B. "Lib" Fleming, Fourth District
Chairman
John E. "Butch" Howard, First District
Vice Chairman
David A. Wright, Second District
Randy Mitchell, Third District
G. O'Neal Hamilton, Fifth District
Mignon L. Clyburn, Sixth District
Swain E. Whitfield, At-Large

Docketing Department
Jocelyn G. Boyd, Deputy Clerk
Phone: (803) 896-5114
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April 30, 2009

The Honorable Robert William Harrell
Speaker of the House of Representatives
506 Blatt Building
Columbia, South Carolina 29211

Dear Mr. Speaker:

The South Carolina Public Service Commission is respectfully re-submitting Document No. 4020 relating to the regulation of stretcher vans for legislative review. Inquiries regarding these regulations should be addressed to Jocelyn Boyd or David Butler at (803) 896-5100.

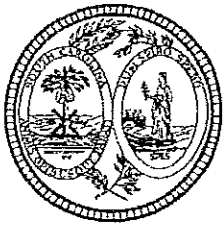
Thank you for your attention regarding this matter.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Charles L.A. Terreni", written over a large, stylized "Z" or "2" that serves as a background for the signature.

Charles L.A. Terreni
Chief Clerk and Administrator

Enclosures



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April 30, 2009

The Honorable Andre Bauer
President of the Senate
State House, 1st Floor
East Wing
P.O. Box 142
Columbia, South Carolina 29202

Dear Lieutenant Governor Bauer:

The South Carolina Public Service Commission is respectfully re-submitting Document No. 4020 relating to the regulation of stretcher vans for legislative review. Inquiries regarding these regulations should be addressed to Jocelyn Boyd or David Butler at (803) 896-5100.

Thank you for your attention regarding this matter.

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Charles L.A. Terreni
Chief Clerk and Administrator

Enclosure

To initiate General Assembly review the following verification must be signed
and returned to the Clerk of the State Register

VERIFICATION

This certifies that I have reviewed the text of this document and determined
that, with the stricken text deleted and the new text incorporated, the text
reads as the agency intends it to read.

April 30, 2009
Date

Jocelyn D. Bayd
Reviewing Officer

Resubmitted: April 30, 2009

Document No. 4020
PUBLIC SERVICE COMMISSION
CHAPTER 103
Statutory Authority: 1976 Code Section 58-3-140

103-133(8). PC&N (Stretcher Vans)

Synopsis:

The Public Service Commission of South Carolina (Commission) proposes to create a new regulation governing stretcher vans. The proposed regulation was previously published in the State Register on April 25, 2008, and the Commission held a public hearing regarding the proposed regulation on Wednesday, June 25, 2008. On August 27, 2008, the Commission voted to retain jurisdiction of the proposed stretcher van regulation at the Commission for further consideration and to reopen the written comment period, giving the public until October 31, 2008, to file written comments on the proposed regulation. The new promulgated stretcher van regulation defines stretcher vans and provides governing driver and assistant driver qualifications/requirements, vehicle requirements, and limitations and conditions of service.

Instructions: Print the regulation in accordance with directions given below to reflect new regulation.

103-133(8) print as shown below

Text:

103-133(8) PC&N (Stretcher Vans).

Stretcher van service is a mode of non-emergency transportation which may be provided to an individual who cannot be transported in a taxi or wheelchair van due to being non-ambulatory. Stretcher vans are not required or authorized to provide medical monitoring, medical aid, medical care or medical treatment of passengers during their transport. Self-administered oxygen is permitted. In addition to meeting the requirements set out in 103-133(4) and 103-133(6) above, applicants for a Certificate of Public Convenience and Necessity for stretcher van vehicles must meet the following requirements:

A. Driver and Assistant Driver Qualifications/Requirements

1. While providing transportation for hire, all stretcher vans shall be staffed by both a primary and an assistant driver. In addition to the general requirements provided for in 103-133(6) (A), stretcher van drivers and driver assistants shall be trained in transferring, loading and unloading passengers in stretchers.

2. A stretcher van passenger shall not be left unattended at any time.
3. The driver and driver assistant shall confirm that all restraining straps are fastened properly and the stretcher, stretcher fasteners and anchorages are properly secured prior to the vehicle transporting a passenger.
4. The driver assistant shall be seated in the passenger compartment while the vehicle is in motion and shall notify the driver of any change in the passenger's status.
5. All drivers and assistant drivers must be a minimum of 18 years of age.
6. Driving Record – The certificate holder must obtain and retain a certified copy of the driver's and the assistant driver's three (3) year driving records issued by the South Carolina Department of Motor Vehicles and such records from the DMV of the state in which the driver or the assistant driver is or has been domiciled for such period.
7. State Criminal Background Check – The certificate holder must obtain and retain criminal history background checks from the state where the driver and assistant driver currently live.
8. Drivers License – All drivers and assistant drivers operating a stretcher van must have in their possession at the time of such operation valid drivers' licenses issued by the South Carolina Department of Motor Vehicles or the current state of residence of the driver or assistant driver.
9. Sex Offender Registry – All stretcher van certificate holders are prohibited from employing drivers and assistant drivers who are registered, or required to be registered, as sex offenders with the South Carolina State Law Enforcement Division (SLED) or any national registry of sex offenders. All drivers and assistant drivers who are registered, or required to be registered, as sex offenders with SLED or any national registry of sex offenders are prohibited from driving a stretcher van. Any driver or assistant driver who is placed on a Sex Offender Registry shall notify the ORS and the certificate holder under which he operates of his status and shall immediately cease to operate the stretcher van.
10. All drivers and assistant drivers must pass an American Red Cross certified First Aid with Adult CPR class comprised of no less than 7 hours of instruction time.

B. Vehicle Requirements

1. The stretcher van must be equipped with a stretcher used to transport individuals in the supine or Fowler's position.
2. Passengers shall be loaded headfirst.
3. The approved stretcher shall be elevating and wheeled. A minimum of three (3) patient restraining straps (chest, waist, and thigh) at least two (2) inches wide shall be provided. The stretcher van shall have proper means to secure the stretcher in its position under all conditions. Crash-stable stretcher fasteners must be provided.
4. A stretcher van vehicle must be maintained in good repair and safe operating condition and shall meet the same motor vehicle safety requirements as apply to all vehicles in South Carolina. Exterior surfaces of the vehicle including windows, mirrors, warning devices and lights must be undamaged and kept clean of dirt and debris.
5. Safety belts must be provided for all passengers.
6. Self-administered oxygen must be secured in accordance with AMD (Ambulance Manufacturers Division of the National Truck Equipment Association) Standard 003, "Oxygen Tank Retention System Test."
7. The interior of the stretcher van vehicle shall include secured storage compartments.
8. All storage compartments, supplies and equipment shall be kept clean and sanitary.
9. A stretcher van shall not contain medical equipment or supplies or display any marking, symbols or warning devices that imply that it offers medical care or ambulance transportation.
10. A stretcher van shall not respond or transport a person if the request for service originated within a public dispatch system.

C. Limitations and Conditions of Service

1. Stretcher van vehicles shall not be used:
 - a. To transport a passenger who requires medical monitoring.
 - b. To transport more than one (1) stretcher passenger at a time.
 - c. To transport a person who is being administered intravenous fluids.
 - d. To transport a person who needs or may need oxygen unless that person's physician has prescribed oxygen as a self-administered therapy.
 - e. To transport a passenger who needs or may need suctioning.
 - f. To transport a passenger who has sustained an injury and has not yet been evaluated by a physician.
 - g. To transport a passenger who is experiencing an acute condition or the exacerbation of a chronic condition or a sudden injury or illness.
 - h. To transport a passenger who needs to be transported from one hospital to another hospital if the destination hospital is the same level or a higher level as the hospital of origin.
 - i. To transport a passenger who is being evaluated in an emergency room and for any reason must be transported to another hospital for diagnostic tests that are not available at the first hospital.
2. An individual must not be transported in a stretcher van, if the individual has a written statement from a licensed physician stating that the individual must not be transported in a stretcher van.

Fiscal Impact Statement:

There will be no increased costs to the State or its political subdivisions.

Statement of Rationale:

The purpose of 26 S.C. Code Ann. Regs. 103-133(8) is to create a regulation that governs stretcher vans. This regulation is needed to provide guidelines for non-emergency transportation for individuals who cannot be transported in a taxi or wheelchair van due to being non-ambulatory. The proposed regulation provides vehicle, driver and assistant driver qualifications and further provides for limitations and conditions of service. There was no scientific or technical basis relied upon in the development of this regulation.

To initiate General Assembly review the following verification must be signed and returned to the Clerk of the State Register

VERIFICATION

This certifies that I have reviewed the text of this document and determined that it conforms to the text submitted by this agency to the Clerk of the State Register.

April 30, 2009
Date

Jacelyn H. Boyd
Reviewing Officer

Resubmitted: April 30, 2009

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